

**REMARKS****INTRODUCTION:**

In accordance with the foregoing, claims 2, 3, 6, 8, 11, 13, 16, 23, 34 and 35 have been cancelled without prejudice or disclaimer, claims 1, 4, 7, 12, 14, 15, 19, 20, 24 and 28 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 4-5, 7, 12, 14-15, 17-20, 22, 24-29, and 32-33 are under consideration. Claims 22, 26, 27, 32 and 33 are allowed. Claims 9, 10, 21, 30 and 31 are withdrawn from consideration. Reconsideration is respectfully requested.

**TYPOGRAPHICAL ERROR IN CLAIM 16:**

The features of claim 16 (without the duplicate "the") have been added to amended claim 12. Claim 16 has been cancelled without prejudice or disclaimer. Thus, the typographical error in claim 16 has been addressed.

**REJECTION UNDER 35 U.S.C. §102:**

In the Office Action, at page 3, numbered paragraph 5, claims 1, 3, 4, 11, 12, 17-20, 23-25, 28, 29, 34, and 35 were rejected under 35 U.S.C. §102(b) as being anticipated by Kazuki (JP 5-41173; hereafter, Kazuki). This rejection is traversed and reconsideration is requested.

The features of claim 2 have been added to claim 1, and claim 2 has been cancelled without prejudice or disclaimer. Thus, in accordance with paragraph 7 of the Office Action, claim 1 is submitted to be in allowable form.

Since claims 17 and 18 depend from amended claim 1, claims 17 and 18 are submitted to be allowable for at least the reasons that amended claim 1 is allowable.

Claim 3 has been cancelled without prejudice or disclaimer.

The features of claim 8 have been added to claim 4, and claim 8 has been cancelled without prejudice or disclaimer. Thus, in accordance with paragraph 7 of the Office Action, claim 4 is submitted to be in allowable form. Claim 6 has been cancelled without prejudice or disclaimer. Claim 7 has been amended to depend from claim 5.

Claim 11 has been cancelled without prejudice or disclaimer.

The features of claim 16 have been added to claim 12, and claim 16 has been cancelled

without prejudice or disclaimer. Thus, in accordance with paragraph 7 of the Office Action, claim 12 is submitted to be in allowable form. Claim 14 has been amended to depend from amended claim 12. Claim 15 depends from claim 14 and has been amended. Since claims 14 and 15 depend from amended claim 12, directly or indirectly, claims 14 and 15 are submitted to be allowable for at least the reasons that amended claim 12 is allowable.

Claim 19 has been amended to include the features of the magnetron of amended claim 4. Thus, claim 19 is submitted to be allowable for at least the reasons that amended claim 4 is allowable.

Claim 20 has been amended to include the magnetron of amended claim 12. Thus, claim 20 is submitted to be allowable for at least the reasons that amended claim 12 is allowable.

Claim 23 has been cancelled without prejudice or disclaimer.

Claim 24 has been amended to include, with the exception of the anode and cathode, the features of the magnetron of claim 4. Thus, claim 24 is submitted to be allowable for at least the reasons that amended claim 4 is allowable. Since claim 25 depends from amended claim 24, claim 25 is submitted to be allowable for at least the reasons that claim 24 is submitted to be allowable.

Claim 28 has been amended to include the features of the magnetron of claim 12. Thus, claim 28 is submitted to be allowable for at least the reasons that amended claim 12 is allowable. Since claim 29 depends from amended claim 28, claim 29 is submitted to be allowable for at least the reasons that claim 28 is submitted to be allowable.

Claims 34 and 35 have been cancelled without prejudice or disclaimer.

Thus, claims 1, 4-5, 7, 12, 14-15, 17-20, 22, 24-29, and 32-33 are submitted to be in allowable form and not to be anticipated under 35 U.S.C. §102(b) by Kazuki (JP 5-41173).

#### **ALLOWED CLAIMS:**

Claims 22, 26, 27, 32 and 33 were allowed.

#### **CLAIMS OBJECTED TO:**

Claims 2, 5-8 and 13-16 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The features of claim 2 have been incorporated into claim 1, and claim 2 has been cancelled without prejudice or disclaimer. Thus, as noted by the Examiner, amended claim 1

should now be in allowable form. Also, the claims depending from amended claim 1 are submitted to be allowable for at least the reasons that amended claim 1 is allowable.

The features of claim 8 have been incorporated into claim 4, and claim 8 has been cancelled without prejudice or disclaimer. Thus, as noted by the Examiner, amended claim 4 should now be in allowable form. Also, the claims depending from amended claim 4 are submitted to be allowable for at least the reasons that amended claim 4 is allowable.

The features of claim 16 have been incorporated into claim 12, and claim 16 has been cancelled without prejudice or disclaimer. Thus, as noted by the Examiner, amended claim 12 should now be in allowable form. Also, the claims depending from amended claim 12 are submitted to be allowable for at least the reasons that amended claim 12 is allowable.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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